THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

WRIT PETITION NO.20327 of 2000

Date: 01.10.2007

BETWEEN:

1. Mr.Ashok Kumar Agarwal, S/o Harikishan Agarwal and another

……PETITIONER(S)

A N D

1. The Commissioner, Municipal Corporation of Hyderbad, Tank Bund Road, Hyderabad and others

……RESPONDENT(S)

THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

WRIT PETITION NO.20327 of 2000

ORDER:

The grievance of the petitioners is that in spite of their making several representations to them, respondents 1 and 2 are not preventing the 6th respondent from occupying the park on the western side of their premises bearing No.1-5-6/33 of Srikrishna Colony, Musheerabad, Hyderabad, for running a training center in the name and style of National Film & T.V. Academy in his two flats in the ground floor of 1-5-6/33, Srikrishna Colony, Musheerabad, Hyderabad, which is a residential locality.

2. Though the writ petition is filed in 2000, till now none of the respondents have filed their counter affidavits. Sri Deepak Misra, Advocate, representing Sri Koka Raghava Rao, counsel for 6th respondent, says that 6th respondent has taken away the bundle and so Sri Koka Raghava Rao has no instructions for the 6th respondent. There is no representation on behalf of the 6th respondent.

3. In the circumstances stated in the affidavit filed in support of the petition, since it is the duty of the Municipal Corporation to see that no park is encroached by third parties, respondents 1 and 2 are directed to pass appropriate orders on the representation submitted by the petitioners in respect of the encroachment allegedly made by the 6th respondent and also see that the residential areas are not used for any non-residential or commercial activities.

4. With the above direction, the writ petition is disposed of. Petitioners are entitled to costs of the petition from respondents 1 and 2.

01.10.2007

Cvrk